Remarks

The Office Action mailed March 31, 2006 has been carefully reviewed and the foregoing remarks are submitted in consequence thereof.

Claims 1-18 are now pending in this application. Claims 1-18 are subject to a restriction requirement.

Solely for purposes of a full response, Applicants elect, with traverse, to prosecute the invention of Group I, Claims 1-12.

The restriction requirement is traversed because the inventions set out by the claims in Groups I - IV are clearly related. It is believed that a thorough search and examination of any claim group would be relevant to the examination of all other groups. In addition, requirements for restriction are not mandatory under 35 USC 121. Accordingly, reconsideration of the restriction requirement is requested.

The Examiner has shown no undue burden in searching all Claims, 1-18. It would appear that searching of all claims in the invention would be a more practical, useful and efficient use of resources.

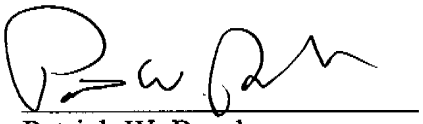
Applicants submit that this restriction is contrary to 35 U.S.C. 121, 37 C.F.R. 1.141 and 37 C.F.R. 1.142 which requires that in order to sustain a restriction then the alleged different inventions must be both independent and distinct. However, here the Examiner seems to have adopted an "independent or distinct" standard, because she based her restriction on one (distinctness) of these two statutory requirements. Thus the Examiner fails to provide a sufficient basis at law to sustain her restriction. Thus the restriction requirement is overcome and should be withdrawn. All claims should be rejoined and searched at this time.

In response to the election of species requirement and solely for purposes of a full response, Applicants elect, with traverse, Species a), "neuron, neuronal cell and/or neural tissue." Claims 1-7, 10-18 appear to read on the elected species. It is acknowledged that Examiner found Claims 4, 10, 11, and 13-18 to be generic. In addition, Applicants submit that Claims 1 and 12 are also generic.

The election requirement is traversed because the species set forth in the Office Action are clearly related. Furthermore, it is believed that a thorough search and examination of either species would be relevant to the examination of the other species. In addition, requirements for election of species are not mandatory under 35 USC 121. Accordingly, reconsideration of the election of species requirement is requested.

In view of the foregoing remarks, all the claims in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



Patrick W. Rasche
Registration No. 37,916
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070